

Quid Novi

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UNIVERSITE MCGILL FACULTE DE DROIT

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La C.A.D.E.D. et le recrutement des étudiants et des stagiaires

par André Beaulieu, vice-président
droit civil

Je me doute bien que la plupart d'entre vous ne perdez pas de sommeil en vous demandant ce que le vice-président civil de l'A.E.D. fait de ses temps libres. De toute façon, ce n'est pas très intéressant (la plupart du temps). Par contre, il y a un dossier dont je m'occupe présentement qui devrait intéresser tous les étudiants de la faculté qui veulent éventuellement pratiquer à Montréal. C'est le dossier du recrutement des étudiants par les bureaux d'avocats et les autres centres possibles de stage. Si vous n'avez pas encore un stage, si vous voulez travailler dans un

bureau durant l'été ou à temps partiel, si vous vous intéressez aux droits des étudiants qui entrent dans la profession (ou si vous pensez bientôt être un recruteur!), c'est une question de première importance.

Les étudiants qui veulent présentement commencer à planifier leur avenir personnel font face à un système de recrutement caractérisé par le chaos et l'anarchie qui pénalise à la fois les étudiants et les employeurs. Le recrutement se fait à l'année longue, sans période de répit, au premier ou au deuxième semestre. On recrute des étudiants dans toutes les années, mais la

tendance est de recruter les étudiants de plus en plus tôt. Il y a maintenant beaucoup de bureaux qui recrutent des étudiants de 1ère année pour le stage! Des étudiants de 4e ou même de 3e année s'inquiètent de ce que le stage d'un bureau qui les intéresse ne soit «fermé» parce que déjà rempli d'étudiants recrutés au début de leurs études. On engage le plus souvent les étudiants à la fois pour le stage et pour un emploi d'été, même si le stage n'est que pour dans 3 ou 4 ans. Les offres qu'on leur fait ne sont souvent valides que pour quelques jours, alors qu'ils peuvent avoir d'autres entrevues dans les semaines qui suivent

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Le Forum Jeunesse de la Commission Bélanger-Campeau

par Hélène Gagnon, BCL II

Si vous vous intéressez aux travaux de la Commission sur l'avenir politique et constitutionnel du Québec (la Commission Bélanger-Campeau), vous serez sûrement intéressés d'apprendre qu'il se tiendra à Québec, les 22 et 23 janvier prochains, un Forum Jeunesse, regroupant trente-six groupes représentant des gens de moins de 30 ans ainsi que 10 individus, qui participeront à titre personnel.

Seront du nombre: la FEEQ, plusieurs associations étudiantes d'universités et de cégeps, le Conseil permanent de la jeunesse, le Jeune Barreau du Québec, la Jeune Chambre de commerce de Montréal, les commissions jeunesse des différents partis politiques, les maisons de jeunes, et, provenant de McGill: McGill-Québec, PGSS ainsi que Pierre Larouche et Richard Janda.

Au cours des deux jours, les différents
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ANNOUNCEMENTS/ ANNONCES

GRADUATION PHOTOS - Attention les finissants! Photos for the composite, yearbook and personal pleasure will be taken in the Common Room on Jan. 21 and 22. Sign up now for a time slot outside the LSA/AED Office. Cheap - only \$25. Graduating students will also be asked to fill out forms re: the "blurb" to appear next to your pictures in the yearbook. Copies of Res Ipsa Loquitur will be sold at this time - please see announcement below.

LEGAL INFORMATION CLINIC - SUMMER EMPLOYMENT OPPORTUNITIES: The McGill Legal Information Clinic/Clinique d'information juridique de McGill is seeking interested law students to fill the position of Executive Director and the four Associate Director positions for 1991-92. The term of office is May 1st 1991 to May 1st 1992. The work is full-time during the summer and part-time throughout the Fall and Winter terms. Only law students who have worked at the Clinic for two terms by the end of this semester are eligible. For details on remuneration, application and interview procedures, etc., pick up an application/information sheet from the Clinic's Office in the Union building. The DEADLINE for applications is 5:00 p.m., February 6th. Bonne chance!

THE SCARLET KEY SOCIETY - The Society recognizes those persons who have made an outstanding contribution to the student community at McGill. Think you're deserving? See Bram for an application package. Deadline is Feb. 15 1991.

ST. THOMAS MORE SOCIETY - The Thomas More discussion group meets 4 or 5 times a term to talk about issues touching on spiritual values and the study and practice of law. We are very informal, and I think we have some pretty interesting discussions. Our next meeting will be on January 30th at 1:00 p.m. in room 201. The focus of this discussion will be a chapter out of Michael Ignatieff's *The Needs of Strangers*. The reading is available from Jon Quaglia, BCL III - 769-2120.

AIDS FORUM - The McGill AIDS Centre will hold a question and answer period which will be chaired by Dr. Norbert Gilmore of the McGill Centre of Medicine, Ethics and Law and the Montréal Chest Hospital, Dr. Chris Tsoukas of the Montréal General Hospital, Mr. Bill Ryan of Ville Marie Social Services and Messrs. Kalpesh Oza and Gregory Rowe of CPAVIH (Comité des personnes atteintes du virus de l'immuno-déficience humaine), on Wednesday, January 30th from 5:00 p.m. to 6:30 p.m., in room S-14 of the Stewart Biology Building, 1205 Dr. Penfield (Ground Floor).

RES IPSA LOQUITUR - On Sale Now!!! The Yearbook Committee is proud to announce the

launch of the 1990-91 edition of *Res Ipsa Loquitur*. While the book will not be delivered until some time in July, work is well underway and our sales drive has begun! We are delighted to inform students that a successful advertizing campaign has enabled us to beat inflation (and the GST) and to sell this year's book at last year's prices! Yearbooks will cost \$10 for those who will pick up their copy in the Fall, and \$12 for those who wish their copy to be mailed directly to them by the printer. Watch this space for more info.

FORUM NATIONAL - Doug Christie, the lawyer who represented Ernst Zundel and James Keegstra will address the Faculty on Wed., January 30th, 1991 in Moot Court at Noon. Don't be late!

BOOKSTORE - Permanent bookstore hours are: Tuesday: 10-12; Thursday: 12-2.

BAR PRIZE MOOT - TRIBUNAL-ÉCOLE DUBARREAU - On Thursday, Feb. 7th at 17h30 in the Moot Court, everyone is invited to watch the annual Bar Prize pleading contest. Cette année, les juges Maillhot, Proulx et Rothman de la Cour d'appel du Québec formeront le banc qui entendra quatre plaideurs et plaideuses choisis parmi les meilleur(e)s étudiants de deuxième année. This moot is especially recommended as an example for first-year students who will soon do their pleading exercise.

WOMEN & THE LAW - The Annie MacDonald Langstaff Workshops are pleased to present Mme Michèle Boivin from U. of Ottawa, who will give a conference on «L'évolution des droits de la femme au travail», on Monday, January 21st, at Noon in room 202. Tous sont bienvenus à cette conférence qui s'annonce des plus intéressantes.

LEGAL THEORY WORKSHOPS - Prof. Michael Trebilcock (U. of Toronto) will be giving a talk on «Commodification: The limits of Economic Analysis of Law?» on Friday, January 25th, at Noon in room 202.

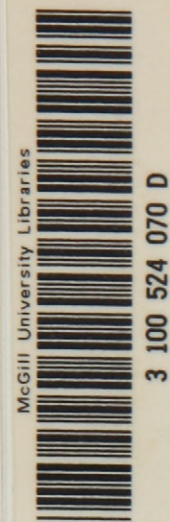
UNSOLVED MYSTERY - To the person who stole my Canon AE-1 camera and a Vivitar flash from the LSA Executive Office during exams, thank you for ruining my holidays and bringing my career as yearbook photographer to a premature end. The flash had been borrowed from a friend (as he then was): I can't afford to pay him back, let alone buy myself a new camera. Please return these items to me and be assured that you can sell them «hot» for only about 15% of their value. It's not worth it!!! If anyone has any information about the «break and enter» which occurred during the last week of exams, please tell me. Auriez-vous vu quelque chose de suspect? Savez-vous qui a volé ma caméra et le flash en question? Aidez-moi à découvrir ce qui est arrivé à ma caméra bien-aimée... - Julie Godin, Social Coordinator.

FUNDING FOR GRADUATE STUDIES IN LAW:
Canadian Environmental Assessment

Research Council (CEARC) Graduate Student Research Grant Program - The CEARC was established in 1984 to investigate the scientific, technical and procedural aspects of environmental assessment, and to find ways of improving its effectiveness. CEARC seeks and encourages new ideas and research directed at clarifying the concept and improving the practice and efficiency of the assessment of environmental and related impacts of projects, programs or policies undertaken for economic or social development. In support of this objective, the Council established a Graduate Student Research Contract Program to assist graduate students at Canadian Universities conducting research on environmental assessment. Each year, ten contracts of \$5,000 each are awarded to graduate students at Canadian Universities who are conducting research related to environmental assessment. Application forms are available from Professor Stevens. The deadline for submission is January 30, 1991. Applicants must be graduate students.

Canadian Memorial Scholarships 1991 - The Canadian Memorial Scholarships are awarded by the Canada Memorial Foundation in memory of the 900,000 Canadians who served with Great Britain during the First and Second World Wars. It is intended to offer awards to very able Canadian post-graduate students so that they may study at a British university for a year. The scholarships are available for students who wish to pursue either a research program or a post-graduate course at a university or other appropriate institution. The Association of Colleges and Universities of Canada, 151 Slater St., Ottawa, Ont., K1G 5N1, is responsible for all matters concerning selection of the candidates and for decisions concerning academic studies. The scholarship includes all tuition fees and living expenses as well as a number of grants for various other items. Applicants should be under the age of 30. The application deadline is February 1st, 1991. Application forms can be obtained from Professor David Stevens.

MINIATURE SPORTS CORNER - Until the return of the regular **Sports Corner**, here is a tidbit of sports information for all you physically healthy persons! November is usually a month filled with academic preparation and apprehension. For others, however, this was a time of explosive emotion known as «November madness». As most struggled in the legal arena, some were able to compete in a different setting; the ultra-modern athletic facility known as the Currie Gym. After an astonishingly mediocre regular season, Jane's Memory, the Law intramural basketball team seemed ready for some post-season, prime-time hang-time, causing even Dick Vitale to exclaim, «Are you kidding me? These kids are ready for the next level, baby!». «Michael» Jordan «Moses» Waxman continuously taunted opponents with his predictions of leading the team to the amount usually required for a team to become eligible for the playoffs. Let's just call it an entrance fee. Wow, there's a team player! The team eased



L.S.A./A.E.D. HALFTIME REPORT

(Part II)

by Bram Freedman, L.S.A./A.E.D. President

And now for something completely different. The second and final instalment of this scintillating series deals with the activities of the L.S.A./A.E.D. with respect to academic and professional concerns.

Faculty Council: Faculty Council is the highest decision-making body of the Faculty composed of all professors and six student representatives. Various sub-committees, which include student members, make recommendations to Faculty Council for its approval.

Curriculum Committee: Two student-initiated proposals were passed by Faculty Council last term with respect to the linguistic policy of the Faculty. Both proposals took the form of recommendations to the Dean. The first asks that the Dean "fasse tout en son pouvoir pour éviter que les cours soient donnés en plusieurs sections offertes dans la même langue." This suggestion seems only logical in order to reduce duplication and to increase the amount of French courses available. The second proposal deals with the fact that many

upper-level civil law courses are offered in English only. In an attempt at remedying this situation, Faculty Council passed a resolution asking the Dean to "fasse tout en son pouvoir pour offrir les cours de droit civil des années supérieures en français, soit en ouvrant des sections enseignées en français, soit en offrant ces cours en anglais et en français, en alternant sur une base annuelle." A third proposal which would allow second-year common law students to take their civil law courses in French was not put before Faculty Council due to technical reasons. This third proposal arose out of a petition circulated by first-year common law students and will most likely be brought forward this term. As well, the Curriculum Committee is currently discussing a revision of Faculty policy regarding religious holidays. A proposal will be brought to Faculty Council in this regard in this term. As you can see, the work of Véronique Belanger, Christian Immer and Willie Mercer has been exemplary on the Curriculum Committee.

Admissions Committee: The student members of this committee have been working since the summer on a proposal that would allow full student

participation in the Faculty's admissions process. A survey sent to all law and medical schools across Canada illustrated that virtually all have full student participation in admissions. Therefore, a student-initiated proposal will be brought to Faculty Council asking that the two student members on the Admissions Committee become full and equal members of the committee with the same authority as professors to review files and to interview candidates. Only graduating students will be eligible so as to ensure confidentiality and various safeguards have been included in the proposal to protect the interests of candidates. Jim Hughes and Suzie Costom, building upon the work of last year's members to the Committee, Genevieve Saumier and David Skinner, have done an excellent job guiding this dossier along.

Examination Committee: Once again, a student-initiated proposal is set to come before Faculty Council for a vote. The committee proposes that the current designations for Honours Standing upon graduation, namely, "First Class Honours" - C.G.P.A. of 3.5, "Upper Second Class Honours" - C.G.P.A. of 3.1 and "Second Class Honours" - C.G.P.A. of 2.7 be replaced by "Great Distinction" - C.G.P.A. of 3.3 and "Distinction" - C.G.P.A. of 3.0. It is felt by the committee that the proposed changes better reflect our students' academic accomplishments. Neil Stoopler successfully piloted this proposal through the committee.

Library Committee: Everyone complains about the state of our library and Martine Cohen is very competently representing students on the committee. One of the most important committees, the Library Committee meets virtually

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And More Announcements

through the playoffs, including a semi-final victory over the supposedly «good with their hands» Medicine squad. The much-improved play of Jane's Memory was attributed to the general «above-the-rim» game of James «Freedom» H.; the «rob you blind» hands of Michel «Lefty» C.; the rebounding of Eric «Don't worry, I brought the wind» B.; and the high percentage shooting of Alain «Tres all day» S. The entire Jane's Memory organization would also like to congratulate Nick K. for receiving the distinguished Sportsmanship Award for his consistent «we're here just to have fun» attitude as well as his continual support of those who make the sport of basketball so pleasant: the people in the black and white-striped jerseys. Congrats to Jane's Memory for winning the McGill Intramural Basketball League. RE-PEAT! RE-PEAT! RE-PEAT! (Jane, see you in London?).

RESEARCH ASSISTANT REQUIRED - Prof. Harvison Young is looking for a student who can help her with the last stages of a paper on judicial review and the Canadian Human Rights Commission. This will involve a few hours of work per week during the term, particularly during the first half of the term, and probably some after exams.

Students should have taken (or should now be taking) either Administrative Process or Judicial Review. Those interested should send a letter and c.v. outlining their qualifications to Prof. Harvison Young before February 1, 1991.

For further information, please contact Prof. Harvison Young at 398-6636.

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L.S.A./A.E.D. Halftime Report

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every week in its efforts to improve and to plan for the betterment of our much-maligned library.

Bookstore: After a brief period of uncertainty, the **Bookstore's** place in the Faculty has been solidified. Now enshrined as an L.S.A./A.E.D. committee, the Manager and members of the committee will be responsible to the L.S.A./A.E.D. Council and its continued existence is therefore ensured. Thanks to Brett Code who almost single-handedly ran the show during the first term.

Computers: If we all cross our fingers and pray, our computer saga may be over. In consultation with the **Computer Committee**, the **Dean's Office** has submitted a request under a special University program for funding for a new computer facility to be run and administered by the Faculty. It has become obvious that a student-funded and student-run operation is not feasible due to a shortage of money and expertise as well as the enormous time commitment required. A special word of thanks to Brian Gelfand and his crew for making the best out of an almost impossible situation.

C.A.D.E.D.: This organization is a grouping of student representatives from the various civil law schools of Canada. As Quebec is virtually the only province not to have some sort of regulation with respect to the hiring of summer students and stagiaires, we have hammered out a policy dealing with this issue. The policy would set fixed interview and hiring periods in an attempt to make the playing field more even and to inject at least a semblance of certainty into the process. A mémoire explaining the policy has been written and representations will be made to the Canadian Bar Association, the Quebec Bar and various other groups in an attempt to gather support and momentum for the proposal. The law schools are united on this issue and our very own André Beaulieu is playing a

leading role in the organization. Along similar lines, all the Executives of the various student Associations are meeting in Quebec City, at the invitation of Laval University, to discuss issues of common concern.

That's it for now. Please remember that all comments, questions and suggestions are welcome. Have a great term!

[Due to some technical errors, several paragraphs of the first part of this article were omitted from last week's issue. We reprint them here as they complement the preceding information.]

Facilities: The L.S.A./A.E.D. is responsible for the "student" areas of the faculty. This includes the two lounges, the cafeteria, the Clubs Room and the Association offices. The new and improved smokeless lounge seems to be quite a success and is being utilized on a regular basis by many students. The only complaint voiced by some students (okay, by me) is that by mid-afternoon the place looks like a garbage dump. Let's make an effort, kids. The newly-constituted Clubs Room is, as well, a success as various clubs get used to the idea of having a meeting room and their own telephone line. The two public phones provided and paid for by the Association continue to be one of the most popular services offered.

Charities: The first term was very successful in terms of donations to charities. The first year classes, during an **Orientation Week Car Wash**, raised over \$1 000 for the Cystic Fibrosis Foundation and the Children's Hospital. Kudos to Chris Kent and the whole Orientation team for a super job. **Delta Theta Phi**, through its Comedy Nights, raised \$500 for the Starlight Foundation. The L.S.A./A.E.D.'s **Rock for the Rainforest** was a financial disappointment as we were unable to donate any funds to the World Wildlife Fund but the benefit concert did serve to raise awareness of the environmental

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issues facing us. Finally, the response to requests for food and monetary donations during the **Christmas Drive** was overwhelming. Over twenty bags of foodstuffs were transported to the main McGill depot in the Union Building, disproving the notion that lawyers are a self-absorbed and uncaring bunch. It is amazing what a little organization and effort can accomplish. Congrats to Marie Lussier and Julie Godin for a job well done. The only disappointment was the response of the professors, as virtually no food nor money was forthcoming from their ranks during the **Drive**.

Skit Nite: Skit Nite's status as a permanent part of faculty life was ensured as it became a formal LSA/AED committee operating at arm's length from the Association. Under the skilful guidance of Seth Dalfen and his trusty executive, plans for Skit Nite 1991 are well underway. All money raised (usually over \$10000) is donated to local charities.

Res Ipsa Loquitur: The fourth annual edition of the Yearbook is right on course with Michael Kleinman at the helm. Any and all help is both needed and appreciated. Don't forget to order your copy now!

Careers Day: Jan. 18 is the day that the professional world descends upon the faculty in an attempt to woo you. Representatives from many different areas of the legal community will be able to provide information. Public organizations, government departments and various "non-traditional" groups will be present, as well. Organized by Associate-Dean Jutras and the Placement Office, in conjunction with the LSA/AED's Careers Committee headed by Richard Rosensweig, this event is a must for all lower-year students. It is an opportunity to browse and see what's available and not a job interview process, so leave your fancy clothes at home!

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## Euthanasia, a different perspective

by Catherine Newcombe and Maaïke de Bie, LLB I

Last Wednesday, Forum National presented a lecture given by Dr. Frederick H. Lowey. He is the director of the Centre for Bioethics at the University of Toronto.

He began with a general overview of the situation regarding euthanasia. Technically, euthanasia is divided into two types: first, passive euthanasia - the withholding of medical treatment so that the disease will run its natural course. second, active euthanasia - intervention of another party to cause death (i.e. an act of «mercy killing»).

According to Dr. Lowey, the present debate is centered around active euthanasia. Passive euthanasia has been addressed by the U.S. Supreme Court in Cruzan by Cruzan v. Director Missouri Dept. of Health (109 S.Ct. 3240) and the Ontario Court of Appeal in Malette v. Shulman, (1987) 63 O.R. (2) 243. Both have acknowledged that an individual has a legal right to refuse medical treatment, even if this results in death.

Recently, the so-called «suicide machine», developed by Dr. Jack Kevorkian, a Detroit physician, has served to escalate public discussion over euthanasia, when a woman, who had been recently diagnosed with Alzheimer's, used it to end her life. Dr. Kevorkian set up his machine for the woman who herself pressed the button that released a fatal dose of sodium penthanol into her bloodstream. Last December, Dr. Kevorkian was prosecuted for murder, but the judge threw out the case saying that the doctor had not murdered the woman, but had

aided her in suicide.

Dr. Lowey pointed out that in recent years, right-to-die societies, like the Hemlock and the Die-with-Dignity-Societies, have become more prominent. They lobby for patients' rights. In particular, they focus on the difference between keeping a body functioning versus keeping a person alive. Public opinion polls in Canada, the U.S. and Europe reveal support for the view that doctors should be legally allowed to end a patient's life if this relieves his/her suffering.

However, Dr. Lowey emphasized that doctors find themselves in a dilemma: whether to preserve life or relieve suffering.

So far, no country except for the Netherlands has dealt with euthanasia in a legal manner; rather they have rather developed a prosecution policy for doctors involved in «mercy killings».

In conclusion, Dr. Lowey stressed that we cannot ignore euthanasia since it is a factor in 3/4 of all hospital deaths in Canada. However, Dr. Lowey believes that physicians should not be given the legal responsibility for deciding when to exercise active euthanasia. Rather, he feels that, as a society, we should talk about and deal with our mortality. The «living will» and the appointment of a representative are means available today for doing so.





# Comme un salon de bronzage en Floride

par Pierre Larouche

Sortir à la station Invalides, traverser le pont Alexandre-III en contemplant le dôme doré, longer la Seine pour se rendre à destination, prendre une heure trente pour aller dîner sur les Champs-Élysées, partir à 19h et assister à une représentation à la Comédie-Française... Rêve impossible? Non, un étudiant en droit peut espérer faire tout cela (sans toutefois nécessairement aller au théâtre tous les jours)... Qui plus est, il est même possible de travailler dans un cabinet d'avocats pour meubler la journée! Voici d'ailleurs certains renseignements à ce sujet.

La profession juridique française est actuellement structurée de manière assez favorable aux juristes étrangers. Outre les avocats, il existe en France une catégorie de juristes appelée «conseil juridique». Cette catégorie a été créée après la dernière guerre pour attirer à Paris les avocats américains spécialisés en droit commercial international, dont la France avait alors grandement besoin. Contrairement aux avocats, qui doivent avoir été formés en France et avoir subi un processus initiatique similaire à celui qu'impose le Barreau du Québec, les conseils juridiques n'ont pas besoin d'avoir étudié en France, et ils ne doivent que faire un stage auprès d'un autre conseil juridique pour obtenir ce titre. Les conseils juridiques ne jouissent évidemment pas des mêmes privilèges que les avocats: ils ne peuvent plaider devant les tribunaux français, et en sont réduits aux droits commercial, corporatif et économique, entre autres (malheureux sort!). Les avocats et les conseils juridiques peuvent pratiquer à l'intérieur du même cabinet. Le statut de conseil juridique est donc fort avantageux pour l'étranger qui désirerait pratiquer le droit en France.

Les bureaux d'avocats français, comme ceux d'autres pays d'Europe continentale, traversent présentement une période de restructuration, marquée par un grand nombre de fusions et de dissolutions, et qui tend généralement à donner naissance à de plus grandes unités. Les cabinets parisiens restent quand même de dimensions assez modestes: outre le géant Gide, Loyrette, Nouël (environ 150 juristes), les plus grands cabinets ne comptent qu'une quarantaine de juristes (Sherman, Sterling ou Moquet, Borde par exemple).

De nombreux avocats québécois pratiquent à Paris. Outre les antennes de moindre importance, seuls Ogilvy Renault (à travers le bureau parisien d'Osler Renault Ladner) et Lette et associés (un cabinet plus spécialisé dans les relations franco-canadiennes) sont représentés à Paris, au meilleur de mes connaissances. Aux Québécois travaillant à ces endroits s'ajoutent ceux qui travaillent au sein de cabinets parisiens proprement dits, dont White & Case. Il y a donc une place certaine pour les juristes d'ici, et particulièrement pour ceux de McGill. Le bilinguisme et le bijuridisme sont prisés par les cabinets français. Je me demande même si le Programme National n'a pas été conçu à Paris...

Le principal problème est de trouver cet oiseau rare, le poste disponible. Je ne parlerai ici que des emplois d'été. Au moment où j'écris ces lignes, il est probablement déjà trop tard pour l'été 1991, car les bureaux parisiens semblent recruter à l'automne. Cependant, il ne coûte rien (ou presque) d'essayer. Le principal problème réside dans la distance: l'employeur prospectif n'a devant lui qu'une lettre, sans possibilité réelle d'entrevue, pour juger le candidat, à moins que ce dernier ne connaisse

quelqu'un qui peut piloter ses démarches à Paris (meilleure solution). À cet égard, il convient de noter que la Faculté accueille chaque année un ou deux professeurs invités venant de France, qui peuvent s'avérer d'excellentes sources d'information...

Le curriculum vitae devrait mettre en évidence la connaissance de l'anglais, ainsi qu'une certaine expérience en droit français et en *common law*. Il faut remarquer que la pratique des lettres de référence est peu répandue en France, et que les employeurs prospectifs y seront probablement peu sensibles, à moins qu'ils ne connaissent bien l'auteur de la lettre.

Enfin, les salaires des étudiants-stagiaires à Paris sont bas, sinon inexistant (plusieurs stagiaires au Barreau de Paris travaillent gratuitement). Le mieux à espérer, c'est de passer l'été sans trop perdre d'argent. Il serait donc recommandable d'ajouter une mention discrète à ce sujet dans la lettre de présentation, du genre de «...j'aimerais travailler, moyennant rémunération, à votre cabinet...». Pas de crainte d'effrayer l'employeur: perdus dans une lettre, ces quelques mots n'y paraissent presque pas.

Quant à mon expérience personnelle, j'ai travaillé deux étés à Paris. J'étais en 1989 chez Ogilvy Renault (devenu depuis Osler Renault Ladner), et en 1990 chez Lebray & Gaillot, un petit cabinet de 6 avocats.

Osler Renault Ladner offrait une combinaison difficile à égaler: les dossiers d'un grand bureau, avec l'atmosphère d'un petit bureau. En tant que seul être humain apte au travail à ne pas détenir de fonctions définies au sein

Suite à la p.8



## La C.A.D.E.D....

### Suite de la p.1

(ou le semestre suivant).

Le résultat final est un capharnaüm qui empêche les étudiants de faire les choix les plus éclairés. Les bureaux et les étudiants doivent prendre un risque calculé en se choisissant mutuellement, parce qu'ils n'ont pas toutes les cartes en main. Cette situation n'est désirée par personne, mais est subie par tous. C'est le résultat de l'absence de règles, du désir des bureaux d'engager les meilleurs étudiants avant les autres et de la volonté des étudiants de ne pas se retrouver désavantagés parce qu'ils ont trop attendu.

La Confédération des Associations d'Étudiants en Droit (la C.A.D.E.D.) se préoccupe de ce problème depuis bientôt 3 ans. Pierre Larouche, Gary Bell et Evelyn Jerassi se sont succédés pour tenter d'élaborer une solution. C'est un

dossier où l'évolution se fait extrêmement lentement, mais la C.A.D.E.D. continue d'exercer son lobbying auprès du Barreau, des différentes associations d'avocats et des employeurs parce que le statu quo est inacceptable.

Les A.E.D. de Laval, Ottawa, Montréal, l'U.Q.A.M. et McGill se sont entendues sur un projet de politique commune qui sera présenté ce printemps au Barreau du Québec, à l'Association du Barreau canadien, au Jeune Barreau du Québec, aux doyens des facultés de droit et à plusieurs autres intervenants. Le projet s'articule autour de trois axes principaux. Premièrement, les entrevues pour les emplois et celles pour les stages devraient être séparées, de même que les offres pour un emploi ou un stage. Deuxièmement, ces entrevues devraient être tenues durant une période fixe de quelques semaines durant l'année. Les offres seraient faites après la période d'entrevue et demeureraient valides pour

au moins sept jours. Finalement, si les deux premières propositions sont adoptées, il n'y aurait plus de raisons de faire des entrevues pour le stage avant la troisième année d'études en droit.

Ce projet de politique est un objectif à long terme. Cependant, nous espérons qu'une campagne de sensibilisation mènera éventuellement à une autoréglementation de la profession, comme cela se fait pour le recrutement des avocats dans d'autres provinces, ou dans d'autres professions, comme les comptables, par exemple.

Si vous avez des questions ou des commentaires à faire à ce sujet, j'apprécierais beaucoup que vous m'en fassiez part. Notre but est de rendre la vie plus facile pour les étudiants qui viennent d'arriver à la faculté et pour ceux qui y entreront dans les années qui viennent, c'est pourquoi l'apport de tous les étudiants est important pour assurer le succès de cette entreprise.

## QUOTES OF THE WEEK:

Colleen Sheppard in Family IA:

**On sex-change operations and whether transsexuals can legally get married:**

«I'm not familiar with this area of medicine let alone law.»

Stéphane Éthier, answering his celluar phone in Remedies class:

«Oui, allô?»

Prof. Harvison Young, in response:

«My colleagues aren't going to believe this. First it was dogs, now it's phones!»

## Forum Jeunesse

### Suite de la p.1

groupes auront du temps pour présenter les grandes lignes de leurs mémoires, en débattre entre eux et finalement répondre aux questions des commissaires.

Même si l'art. 3 de la loi ayant créé cette Commission lui permettait de tenir «des forums sur des aspects particuliers de l'objet du mandat, notamment l'aspect social, culturel, démographique et de développement régional», il semble bien que le Forum Jeunesse sera le seul événement du genre organisé par la Commission.

Il aura fallu beaucoup de temps et de pressions (notamment de la part du Conseil permanent de la jeunesse) avant que la Commission accepte la tenue d'un tel Forum. Non seulement aucun jeune ni aucun député de moins de 30 ans n'a été nommé pour siéger sur cette Commission, mais les jeunes auront eu à se battre tout au long du processus pour faire entendre leurs opinions. Oui, cela m'enrage un peu... Mais, au moins, avec

le Forum, la contribution des organisations de jeunes devrait se retrouver dans le rapport final de la Commission. Nous pourrions tous évaluer l'importance qu'accordent les commissaires à ce Forum en comptant le nombre de commissaires qui y assisteront...

Un résumé de chacun des mémoires a déjà été distribué aux participantes et participants. En général, les mémoires recommandent la souveraineté du Québec ou font état de consultations dans leurs milieux (majoritairement pour la souveraineté également). Il n'y a toutefois pas unanimité. Mais plus encore, il n'y a pas d'unanimité sur le processus d'une telle souveraineté. Certains recommandent un référendum le plus vite possible, d'autres demandent des États généraux ou des consultations avant, d'autres enfin veulent la rédaction d'une Constitution du Québec et sa ratification par référendum. Les discussions risquent d'être animées. C'est à suivre!



### Salon de bronzage...

#### Suite de la p.6

du bureau, mon emploi du temps était plutôt varié. Mes tâches allaient du rôle de garçon de bureau à celui de jeune avocat. À titre d'exemple, un matin où j'étais occupé à retravailler un contrat, on m'a demandé de bien vouloir transporter à l'intérieur du bureau les caisses d'imprimés qui se trouvaient à la porte. J'ai aussi magasiné un système téléphonique, un photocopieur et un télécopieur. Les avocats ont cru remarquer ma polyvalence...

Chez Lebray & Gaillot, je me suis concentré sur le droit...français. Je

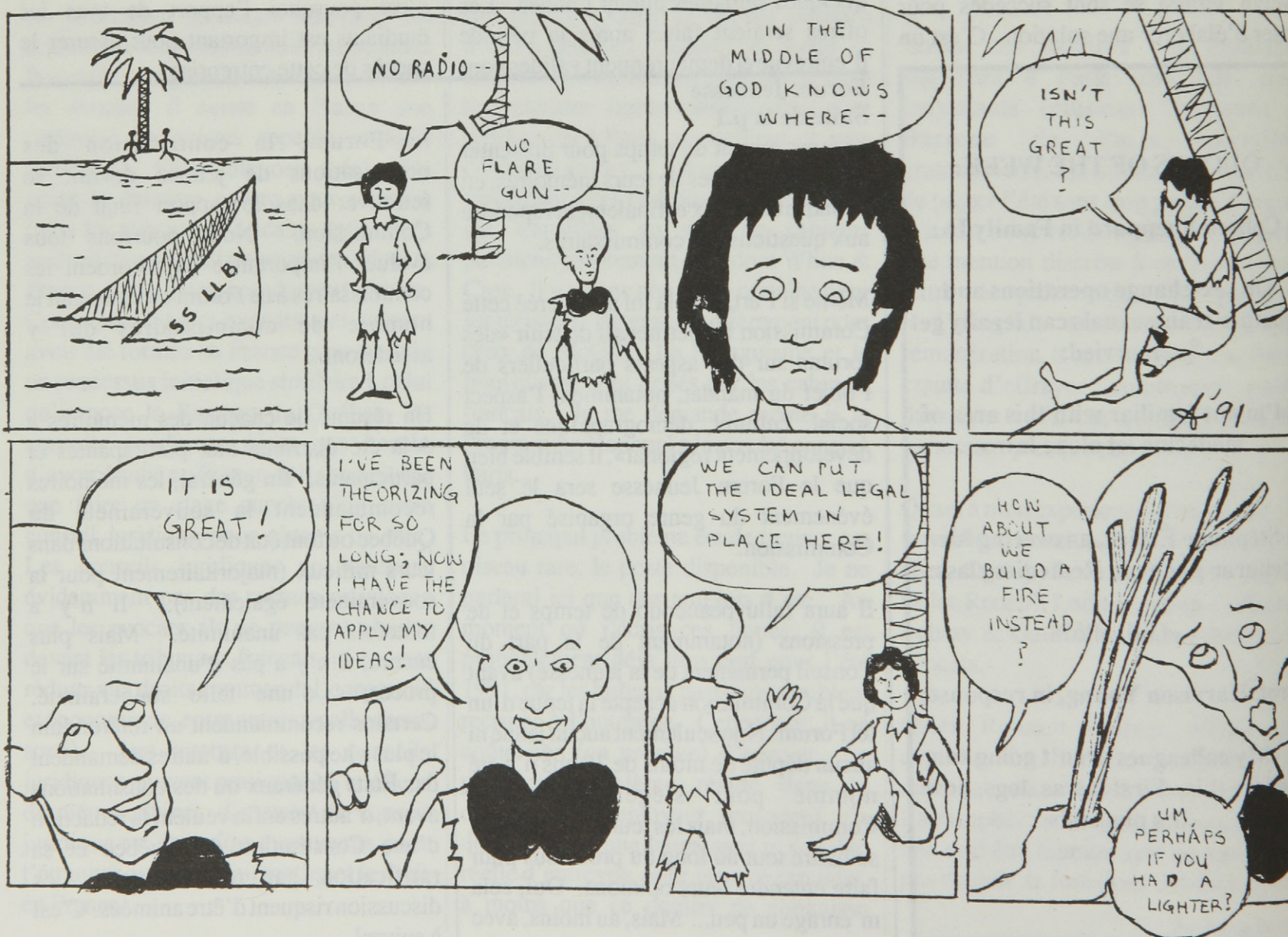
revivais sans cesse les sprints «glorieux» des examens de droit: deux heures pour comprendre la T.V.A., deux jours pour le droit français de la concurrence. J'avais l'air d'un extra-terrestre, quand je me promenais dans les corridors avec mes piles de livres. Il faut comprendre que la Recherche (avec un grand R) est à l'avocat français ce que le salon de bronzage est à l'habitant de la Floride: une manière bizarre d'obtenir ce qui est de toute façon offert à tout le monde. Les avocats français ont tendance à faire confiance aux *abridgments* sans toujours aller au fond des choses. Par contre, ils maîtrisent très bien leur droit, ce qui compense pour le reste. Les avocats avec

qui j'ai eu l'occasion de travailler étaient particulièrement gentils et agréables: le «petit québécois» a eu droit à deux fins de semaine de tourisme guidé.

En somme, j'ai bien apprécié mes deux étés à Paris (remarquez l'usage de l'euphémisme). Il s'agit d'une expérience que je conseillerais sans hésitation. Si cela vous intéresse, je suis toujours disponible pour en discuter (c'est un sujet quand même plus intéressant que la date de sortie des notes des tribunaux-école ou la «théorie métaphysique du commentaire d'arrêt»!).

## THE PITS

By Arnold Bornstein, LL.B. III





# EDWARD SCISSORHANDS IS HOME ALONE

by Michael Wilhelmson, LLB III

The movies Edward Scissorhands and Home Alone are not obvious companions to the normal mind. They certainly aren't of the Godfather set or one of Eastwood's Spaghetti westerns. One might just as well compare Hell Raiser with the Sound of Music, although in that case, both are difficult to watch with a full stomach. Edward Scissorhands and Home Alone are certainly not the same style of film. Edward is dark and moody. Home Alone is less seriously minded, with much more nail-in-the-foot, iron-in-the-face, slap stick.

I've chosen to lump these films within the same review not for their differences, but for what they have in common. Besides the fact that I saw both films this week, Edward Scissorhands and Home Alone are both modern fables, one with a sad, one with a happy ending.

Edward is the alienated monster man with scissorhands. His creator (Vincent Price) gave Edward a heart and leather, but neglected to give him hands. When Vincent finally gets around to it, he promptly dies of a stroke before being able to attach them to Edward. Edward becomes the recluse in the monster mansion on the edge of small town America — a pastel version of Marketville in the GST ads.

Kevin doesn't have scissorhands, but his family is disgusting, impolite, and self-interested, sort of an Adam Smith vision of the family unit. After Kevin's brother offers to vomit up Kevin something for dinner, Kevin gets in a fight and is sent to his room. In the rush the next morning to catch a plane to Paris, the family forgets to bring Kevin along. Our alienated hero is left to fend for himself against a

monster heater in the basement and two cruel neighbourhood thieves.

Edward is discovered by the Avon lady who invites him to live with her family. Despite Edward's "handicap," the whole community rallies 'round Edward who proves to be a talented hedge cutter, hairdresser and ice sculptor.

Kevin has a much more pleasant time at first. He thinks the wish that his family disappear has been granted. He promptly demolishes his brother's room, eats marshmallow goo all night and watches movies. Kevin's "discoverer" is an elderly neighbour with a reputation as a mass murderer who keeps dead bodies in a salt-filled garbage can. Kevin and this chap have a chat in church on the subject of courage. A bonding moment. Both are changed forever. Kevin returns home to face the evil thieves.

This is where the happy fable and the sad one part company. I'm trying to write this without being too cute, but it's difficult. Edward, the tragic hero, is doomed from the tragic and foreboding opening bars of the score. His love for the Avon lady's daughter (Winona Ryder) draws him into a robbery scheme that goes, oh my dear, terribly wrong. He is caught in the act and the town turns against him. The town's change of heart is a unbearably cruel, as it's original sympathy for Edward had been unbelievably profound. Edward accidentally scratches Winona and is accused of attacking her, he saves the Avon lady's son from a drunk driver and is accused of attempting to murder him.

Soon, like in every Frankenstein movie, the mob drives Edward back to the castle, where he will spend eternity tending his garden and carving ice statues of his

beloved. His beloved never sees Edward again, but knows he's up there in his castle because of the snow that occasionally falls on the town from Edward's ice work.

Kevin, who is blessed with a happier fate, does in fact virtually kill the two thieves through a series of sadistic torture traps involving blow torches, nails, broken glass and hedge clippers. The mutilated thieves are hauled away by the police and the family is reunited in a beer-ad bonding moment.

Both films are simple in plot. Edward Scissorhands is more of an «experience», with a better score. Home Alone is just Hollywood, but the "kid" does "great" double takes and the film is suprisingly witty and intelligent.

If in doubt, wait for next year and see the films on your folks' VCR.

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# Murder by Numbers: A Review of Martin Amis' London Fields

by Julie Godin, Nat. IV

«This is the story of a murder. It hasn't happened yet. But it will. (It had better). I know the murderer, I know the murderee. I know the time, I know the place.» Thus begins Martin Amis' latest novel, London Fields.

It is indeed a murder story, but the murder itself is far from simple. Amis himself states in an introductory note that the novel could have been entitled The Death of Love, and destruction occurs at different levels throughout the vast universe presented in London Fields. Bizarre weather patterns are described with recurring intensity, as pollution and environmental disasters form a constantly changing background to a world which appears to teeter on the edge of nuclear war. Poverty and madness crowd the streets, disease and violence seem to occupy every household.

The narrator of this slowly unravelling mystery, American writer Sam Young, is very much present, and becomes gradually less objective as his tale progresses. At first, he clearly identifies his schema of Murderer, Murderee and Foil. However, the characters he describes are evolving as he writes, and he narrates the progression of their respective roles as these become defined.

He identifies the Murderer as Keith Talent, a petty criminal who dreams of attaining fame by becoming a darts champion. Keith's headquarters of social and darts activity is the Black Cross, a murky pub on Portobello Road: «In the Black Cross, time was a tube train with the driver slumped heavy over the lever, flashing through station after station.»

The murderee is Nicola Six, a woman

who, when she walks, is lit by her own «personal cinematographer», «a single spotlight trained from the gods». Nicola is an actress in the movie of her existence, and she devises the script for her own murder. She chooses as a foil Guy Clinch, a weak «nice guy», who is handsome, rich, intelligent but lifeless. Nicola's plan is to exploit the dynamics of a triangle formed by her relationships with these two men. However, as each character pursues his own needs and illusions, a fragile balance is threatened and the potential for violence becomes uncontrollable. The novel's ending is therefore unexpected, and yet satisfying in its relation to the whole.

Amis' novel is a challenging and disturbing vision of human interaction, with a constant reminder of larger threats of annihilation. The characters of Keith and Nicola are mercenary, selfish, and Machiavellian, as they attempt to use and violate others in order to achieve satisfaction. Nicola's capacity for falsehood and manipulation is so great, that the chapters describing her seduction of Guy are almost too painful to read. She is an actress, and uses all of an actress' tricks to convince Guy that she is a virginal, lovestruck victim.

There are many surreal elements to Amis' novel. His Dickensian flair for descriptive character names can be startling (regulars at the Black Cross include Thelonus, Curtly, Truth, Shakespeare and God), and strikes a strange contrast with the realism of many descriptive passages. The character of Marmaduke, Guy's infant son, is also completely allegorical, as this monstrous baby exhibits unrestrainable violent impulses, a superhuman appetite and insane Oedipal jealousy. Nevertheless, an atmosphere of danger, despair and great sadness permeates the novel, and it

resonates with truth. London Fields is more than an apocalyptic vision of the last, hopeless struggles of a few human beings. It is a vision of death, and an elegy to the dream of love. In one of the novel's saddest chapters, Sam Young reveals the failure of his attempt to visit the woman he loves in America. He describes his yearning, as he remained trapped in Heathrow airport for six days, and merely dreamt of his trip to America: «What was I doing? The whole thing, the whole love-quest, the whole idea: it was from another world. Forget it. Turn Back. Back to try the art and dice with death and hate, and not fight for love in some unreal war...» Martin Amis' style is rich with physical and scatological imagery, and filled with biting wit and black humour: «Keith's compensations represented the money he paid, or owed, for the injuries he'd meted out during a career that spanned almost two decades. You'd think that being a child prodigy in the violence sphere would have its upside. Compensationswise, since some of the people you damaged or hurt (and naturally you were always going to be concentrating on the elderly) would be dying off anyway. But oh no: now you have to pay their relatives, or even their mates, so only the lonely forgave their debts, some of them going back twenty years, a crushed nosebridge here, a mangled earhole there, everyone of them linked to double-digit inflation...»

The ambitious scope and violent symbols of London Fields are almost overwhelming in their originality. However, the novel does achieve a rare thing: it shakes you up, throws you off balance, disturbs you in some basic way. As you come to the end of this tale, you realize that you too have been drawn into this vortex of human suffering, and that the safety of a detached, objective viewpoint does not exist.